

Notice of Allowability

Application No.

10/627,946

Examiner

Laura C. Guidotti

Applicant(s)

WATKINS, CHARLES E.

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 30 August 2007.
2. ☒ The allowed claim(s) is/are 28 and 31-44.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

None of the prior art made of record includes a handheld magnetic scrubber comprising a power unit having a first housing, a plurality of magnets distributed about a surface of said first housing, and a plurality of electromagnets mounted within said first housing, wherein said plurality of electromagnets produce a varying magnetic field in response to changes in power supplied to each of the plurality of electromagnets (or a power induction unit producing a varying magnetic field in response to supplied power), a pad unit having a second housing, at least one piece of ferrous or magnetic material distributed about a surface of said second housing, a bore formed in the second housing, a scrubbing material releasable received in the second housing bore, wherein the scrubbing material is rotatable (or eccentrically rotatable or also radially movable) with respect to the second housing, at least one piece of ferrous or other magnetic material operatively coupled to the scrubbing material so that the scrubbing material rotationally moves in response to the varying magnetic field produced by the plurality of electromagnets, wherein the power unit is placed on an aquarium wall and the pad unit is placed on the inside of the aquarium wall opposite the power unit, the plurality of first housing magnets attract the pad unit at least one piece of ferrous or magnetic material to maintain the pad unit adjacent the power unit as said scrubbing material is rotated with respect to the second housing.

In particular, US 3,646,630 to Russell teaches a device having both a power unit (47) and a pad unit (45), the power unit has a first housing and plurality of electromagnets (305, 306, 307, 308 that are similar to that of the plurality of fixing units that are magnets of the present invention), these electromagnets are capable of producing a varying magnetic field in response to changes in power supplied to the electromagnets (for instance when the device is turned on and off). The pad unit also has a second housing, at least one piece of ferrous or magnetic material distributed about a surface of the second housing (being magnets 301, 302, 303, 304), a bore, a scrubbing material releasably received in the second housing bore (291, 292, 293, 294). When the power unit is placed on an outside of glass and the pad unit is placed on the inside of glass the pad, the plurality of the electromagnets (305, 306, 307, 308) attract the pad unit at least one piece of ferrous or magnetic material (301, 302, 303, 304) to maintain the pad unit adjacent to the power unit as the scrubbing material is rotated (Figures 1, 4-5; Column 4 Lines 10-18). Russell does not teach or suggest at least one piece of ferrous or other magnetic material operatively coupled to the scrubbing material so that the scrubbing material rotationally moves in response to the varying magnetic field produced by the plurality of electromagnets.

US 3,554,497 to Zipperer teaches an electronically controlled magnetic stirrer, however this device clearly does not include a pad unit, as it is a stirrer. Zipperer does teach an electromagnetic arrangement that has a power unit body (21) with a power induction unit having electromagnets (23), there is a separated body (33) that moves in response to the magnetic field produced by the power unit. The power unit does not

Art Unit: 1744

include at least one piece of ferrous or magnetic material distributed about a surface of the first housing in addition to the electromagnets. Zipperer employs the electromagnetic arrangement in order to control a stirring speed of liquid within a vessel container. It would not have been obvious to substitute the motor assemblies of Russell which rotate the scrubbing material with the electromagnetic arrangement of the power unit body and the separate (stirrer) body taught by Zipperer because the device of Russell would not be capable of functioning.

Other prior art made of record, such as US 3,983,591 to Ohtaki et al., include glass or aquarium wall cleaning devices that employ electromagnets in order to attract power units and pad units through the glass. Ohtaki et al. and in other prior art made of record, do not include at least one piece of ferrous or magnetic material distributed about a surface of the first housing of the power unit or the second housing of the pad unit. In addition, while the magnetic field may vary when power supplying the electromagnets/induction unit is turned on or off, in the pad unit the piece of magnetic or ferrous material that is operatively coupled to the scrubbing material, the scrubbing material is not rotationally (or eccentrically rotationally) moving in response to the varying magnetic field. In Ohtaki et al., the motors (M, M') rotate the scrubbing material and the scrubbing material is not operatively coupled to magnetic or ferrous material.

DE 3,630,324 does not include a plurality of magnets distributed about a surface of the first power unit housing, a plurality of electromagnets, a pad unit having at least one piece of ferrous or magnetic material distributed about a surface of the second

Art Unit: 1744

housing, or that the pad unit moves in response to a varying magnetic field produced by a plurality of electromagnets.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1744

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Laura C Guidotti
Laura C Guidotti
Patent Examiner
Art Unit 1744

lcg